

REMARKS

Claims 1-18 are now pending in the application. Claims 19 and 20 have been cancelled. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. §§ 102 AND 103

Claims 1-4 and 7-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Marchland et al. (U.S. Pat. No. 6,649,297, hereinafter "Marchland"). This rejection is respectfully traversed.

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Marchland. This rejection is respectfully traversed.

At the outset, Applicants note that claims 1 and 11 have been amended to include the feature of the flow channel "having a width and a depth, said width continuously decreasing along said depth of said channel in a direction generally away from said boundary element." Every configuration taught by Marchland has a channel with a width that either remains constant or increases along the channel depth. None of the configurations disclose a channel width continuously decreasing along the depth of the channel. Applicants specifically note that Marchland does not disclose the V-shaped or W-shaped cross-sectional configurations of the channel as claimed in claims 4 and 7. As such, Applicants believe that claims 1 and 11 are now in condition for allowance.

Therefore, reconsideration and withdrawal of the rejection of claims 1 and 11 are respectfully requested.

Applicants note that claims 2-10 and 12-18 depend from claims 1 and 11 respectively. As such, these claims should be in condition for allowance for the reasons set forth above regarding claims 1 and 11. Therefore, reconsideration and withdrawal of the rejection of claims 2-10 and 12-18 are respectfully requested.

OTHER CITED ART


Upon further review of the additional references cited but not relied upon by the Examiner, Applicants note that the present invention is distinguished from the references. With regard to Dankese (U.S. Pat. No. 3,432,357), Applicants note that while channeled sheets of various geometric configurations are discussed, these sheets are perforated and cannot be considered a separator plate having a flow field formed therein as recited in the claimed invention. The present invention can be distinguished over Fly, et al. (U.S. Pat. No. 6,663,994) which disclosed a convoluted MEA but not a separator plate having a flow field formed therein as recited in the claimed invention. Likewise, the present invention can be distinguished over Gibbs et al. (U.S. Pat. No. 6,783,884) which does not disclose or suggest a boundary member disposed over a separator plate. Furthermore, Applicants further note that none of the cited references to disclose or suggest a water accumulation region as recited in the claimed invention. As such, Applicants note that the present invention is in condition for allowance in view of these references as well.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 9/27/05

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